



# House of Representatives

General Assembly

**File No. 579**

*January Session, 2015*

Substitute House Bill No. 6435

*House of Representatives, April 13, 2015*

The Committee on Energy and Technology reported through REP. REED of the 102nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT STREAMLINING THE PERMITTING PROCESS FOR RESIDENTIAL SOLAR PHOTOVOLTAIC SYSTEMS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2015*) (a) As used in this  
2 section:

3 (1) "Residential solar photovoltaic system" means equipment and  
4 devices that have the primary purpose of collecting solar energy and  
5 generating electricity by photovoltaic effect, have a nameplate capacity  
6 rating of twelve kilowatts or less, are installed on the roof of a single-  
7 family or multifamily home, conform to the National Electrical Code  
8 and State Building and Fire Safety Codes and do not exceed the  
9 maximum building height authorized by the municipality where such  
10 home is situated;

11 (2) "Municipality" means any town, consolidated town and city or  
12 consolidated town and borough;

13       (3) "Permit" means a permit to install and interconnect a residential  
14 solar photovoltaic system to the electric grid;

15       (4) "Permit applicant" means a natural person or household seeking  
16 a permit to install a residential solar photovoltaic system;

17       (5) "Inspection" means a structural, electrical and fire safety  
18 inspection of the permit applicant's residential solar photovoltaic  
19 system; and

20       (6) "Electronic submission" means the act of a permit applicant who  
21 submits his or her completed application to a municipality for review  
22 by means of electronic mail, facsimile or electronic application  
23 available on a municipality's Internet web site.

24       (b) Not later than January 1, 2016, each municipality shall develop a  
25 permitting process for residential solar photovoltaic systems. Each  
26 municipality may (1) develop and post on the municipality's Internet  
27 web site a permit application for the installation of a residential solar  
28 photovoltaic system, (2) allow for electronic submission of such  
29 application, and (3) exempt such system from payment of permit fees  
30 pursuant to subsection (c) of section 29-263 of the general statutes.

31       (c) Not more than thirty days after receipt of a permit application, a  
32 municipality shall inform such permit applicant whether such  
33 application is approved or disapproved. Review of the permit  
34 application shall be limited to whether the residential solar  
35 photovoltaic system meets all municipal, state and federal health and  
36 safety requirements.

37       (d) Not more than thirty days after the installation of a residential  
38 solar photovoltaic system, a municipality shall inspect such system.  
39 Such municipality may contract with a third-party contractor to  
40 perform such inspections. Such contractor shall have a current  
41 Connecticut PV-1 limited solar electric contractor license. The  
42 municipality shall disclose on its permit application whether it  
43 contracts with a third-party contractor to perform the inspection and

44 the cost of such inspection. Not more than one inspection shall be  
 45 required for each residential solar photovoltaic system, unless a health  
 46 or safety issue is detected during the inspection of such system. A  
 47 municipality may perform a separate fire safety inspection if deemed  
 48 necessary by the municipality. If the municipality or a third-party  
 49 contractor performing such inspection makes a finding that a  
 50 residential solar photovoltaic system does not meet municipal, state or  
 51 federal health and safety requirements, such municipality may require  
 52 the permit applicant to apply for a special use permit.

53 (e) Nothing in this section shall authorize any person to cause any  
 54 home or structure located within a historic district established  
 55 pursuant to section 7-147b of the general statutes to be altered, as  
 56 defined in section 7-147a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	New section

**Statement of Legislative Commissioners:**

In Section 1(d), the word "is" was deleted and replaced with the phrase "shall be" for accuracy.

**ET**            *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 16 \$</b>	<b>FY 17 \$</b>
Various Municipalities	Cost	Potential	Potential

**Explanation**

The bill requires towns to develop a permitting process for the installation of residential solar panels.

It is anticipated that many municipalities already have such a permitting process in place and therefore would not incur any cost as a result of the bill.

Certain small municipalities participate in regional, online permitting, and may incur costs associated with upgrading their software to allow for a separate permitting system for each town for solar panel installation.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sHB 6435*****AN ACT STREAMLINING THE PERMITTING PROCESS FOR RESIDENTIAL SOLAR PHOTOVOLTAIC SYSTEMS.*****SUMMARY:**

By January 1, 2016, this bill requires each municipality to develop a permitting process to allow residential property owners to install and interconnect solar photovoltaic (PV) systems to the electric grid. It requires municipalities to:

1. approve or disapprove a residential solar PV system permit within 30 days of receiving an application;
2. limit their review of an application to whether the system meets municipal, state, and federal health and safety requirements; and
3. inspect the systems within 30 days of installation.

The bill limits, with certain exceptions, the number of inspections municipalities can require and allows municipalities to issue special use permits for systems that do not meet certain requirements.

The bill specifies that its provisions do not authorize anyone to alter homes or structures in historic districts. The bill defines municipality as any town, consolidated town and city, or consolidated town and borough.

EFFECTIVE DATE: October 1, 2015

**RESIDENTIAL SOLAR PHOTOVOLTAIC SYSTEMS**

Under the bill, a residential solar PV system includes equipment and devices that:

1. collect solar energy and generate electricity by photovoltaic effect,
2. have a nameplate capacity rating of 12 kilowatts or less,
3. are installed on the roof of a single-family or multifamily home,
4. conform to the National Electrical Code and State Building and Fire Safety Codes, and
5. do not exceed the maximum building height authorized by the municipality where the home is situated.

## **PERMITTING PROCESS AND REVIEW**

Under the bill, permit applicants are people or households seeking a permit to install a residential solar PV system. The bill allows municipalities, when developing a permitting process, to:

1. develop and post on its website the permit application for the installation of a residential solar photovoltaic system;
2. allow applicants to submit the applications electronically, (i.e., by means of electronic mail, fax, or an electronic application available on its website); and
3. exempt such systems from the education fee assessed on building permit applications to construct or alter a building or structure.

## **INSPECTION**

### ***Number of Inspections***

The bill prohibits municipalities from requiring more than one inspection for each residential solar PV system, with certain exceptions. Under the bill, an inspection is a structural, electrical, and fire safety inspection of the permit applicant's residential solar PV system. Municipalities may (1) require additional inspections if they detect a health or safety issue during the initial inspection, and (2) perform a separate fire safety inspection if deemed necessary.

***Third-Party Contractor***

The bill allows municipalities to contract with third-party contractors to perform inspections. The contractors must have current Connecticut PV-1 limited solar electric contractor licenses. It requires municipalities to disclose on their permit applications (1) whether they contract with third-party contractors to perform inspections and (2) the cost of such inspections.

***Special Use Permits***

The bill allows municipalities to require permit applicants to apply for special use permits if an inspection finds that a residential solar PV system does not meet municipal, state, or federal health and safety requirements.

The bill does not define “special use permits” or specify any conditions for approving them.

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/24/2015)